

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANDRE PATTERSON.

Plaintiff,

VS.

RACHIAILLE FRANKLIN,

Defendant.

Case No.: 11-CV-06137 YGR

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

On December 15, 2011, Plaintiff's complaint was dismissed and his application to proceed *in forma pauperis* was denied. Plaintiff was advised that if Plaintiff wished to pursue this action, he must file an amended complaint and a renewed application to proceed *in forma pauperis* by January 3, 2012. Plaintiff was warned that failure to file a cognizable legal claim by this date would result in dismissal of this action. To date Plaintiff has failed to file an amended complaint or renewed application to proceed *in forma pauperis*.

Accordingly, this action is **DISMISSED** under Rule 41(b) for failure to prosecute.

The Case Management Conference set for August 6, 2012 is **VACATED**.

IT IS SO ORDERED.

Date: August 3, 2012

Yvonne Gonzalez Rogers
YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE